



1645

Atty. Dkt. No. 078728-0106

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Joseph ROBERTS et al.

Title: CLONING, OVEREXPRESSION  
AND THERAPEUTIC USE OF  
BIOACTIVE HISTIDINE  
AMMONIA LYASE

Appl. No.: 09/833,745

Filing Date: 04/13/2001

Examiner: Charles L. Patterson, Jr.

Art Unit: 1645

RECEIVED  
JUN 05 2003  
TECH CENTER 1600/2900

**AMENDMENT TRANSMITTAL**

Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia 22313-1450

Sir:

Transmitted herewith is an amendment in the above-identified application.

- ☐ Small Entity status under 37 C.F.R. § 1.9 and § 1.27 has been established by a Small Entity statement previously submitted.
- ☐ Small Entity statement is enclosed.
- ☒ The fee required for additional claims is calculated below:

	Claims as Amended		Previously Paid For		Extra Claims Present		Rate		Additional Claims Fee
Total Claims:	24	—	23	=	1	x	\$18.00	=	\$18.00
Independents:	4	—	5	=	0	x	\$84.00	=	\$0.00
First presentation of any Multiple Dependent Claims:						+	\$280.00	=	\$0.00
CLAIMS FEE TOTAL:									\$18.00

- ☐ Applicant hereby petitions for an extension of time under 37 C.F.R. § 1.136(a) for the total number of months checked below:

<input type="checkbox"/>	Extension for response filed within the first month:	\$110.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the second month:	\$410.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the third month:	\$930.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the fourth month:	\$1,450.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the fifth month:	\$1,970.00	\$0.00
	EXTENSION FEE TOTAL:		\$0.00
<input type="checkbox"/>	Statutory Disclaimer Fee under 37 C.F.R. 1.20(d):	\$110.00	\$0.00
	CLAIMS, EXTENSION AND DISCLAIMER FEE TOTAL:		\$18.00
<input type="checkbox"/>	Small Entity Fees Apply (subtract ½ of above):		\$0.00
	TOTAL FEE:		\$18.00

☒ Please charge Deposit Account No. 19-0741 in the amount of \$18.00. A duplicate copy of this transmittal is enclosed.

☐ A check in the amount of \$18.00 is enclosed.

☒ The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date June 3, 2003

By 

FOLEY & LARDNER  
Customer Number: 22428



22428

PATENT TRADEMARK OFFICE

Telephone: (202) 672-5404

Facsimile: (202) 672-5399

Stephen A. Bent  
Attorney for Applicant  
Registration No. 29,768



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Applicant: Joseph ROBERTS *et al.*

Title: **CLONING, OVEREXPRESSION AND THERAPEUTIC USE  
OF BIOACTIVE HISTIDINE AMMONIA LYASE**

Appl. No.: 09/833,745

Filed: 4/13/01

Examiner: Charles L. Patterson, Jr.

Art Unit: 1645

15/B  
D.G.  
6/11/03

**AMENDMENT AND REQUEST FOR RECONSIDERATION UNDER 37 CFR §1.111**

Commissioner for Patents  
Box NON-FEE AMENDMENT  
Washington, D.C. 20231

**RECEIVED**  
JUN 05 2003  
TECH CENTER 1600/2900

Sir:

In reply to the Official Action mailed March 3, 2003, applicants request the application be amended and reconsidered as follows. If additional extensions of time are necessary to prevent abandonment of this application, then extensions of time are hereby petitioned under 37 C.F.R. §1.136(a), and any fees required, including fees for net addition of claims, are hereby authorized to be charged to account number 19-0741.

**In the specification**

**Please replace paragraph 0036 with the following rewritten paragraph:**

**Figure 10** depicts the effectiveness of L-histidinol as a single agent. Lane 1: Control. Lane 2: L-histidinol (0.1 mM). Lane 3: L-histidinol (0.5 mM). Lane 4: L-histidinol (1.0 mM). Lane 5: L-histidinol (1.5 mM). Lane 6: L-histidinol 3.0 mM).

**Please replace paragraph 0127 with the following rewritten paragraph:**

DNA probes were designed using regions of known histidine ammonia lyases that had a strong probability of being conserved in HAL. Using the Wisconsin Graphics GCG package pileup program, the peptide sequences of the known histidine ammonia lyases from *B. subtilis*, *S. griseus*, *P. putida*, and rat were aligned and examined for highly conserved